

**AT A REGULAR MEETING OF THE BOARD OF
COUNTY COMMISSIONERS HELD IN AND FOR
GADSDEN COUNTY, FLORIDA ON JULY 1,
2014, AT 6:00 P.M., THE FOLLOWING
PROCEEDURES WERE HAD, VIZ:**

Present: Eric F. Hinson, Chair, District 1
Brenda Holt, Vice-Chair, District 4
Doug Croley, District 2
Gene Morgan, District 3 (arrived late)
Sherrie Taylor, District 5
Nicholas Thomas, Clerk
Robert Presnell, County Administrator
David Weiss, County Attorney
Marcella Blocker, Deputy Clerk

INVOCATION, PLEDGE OF ALLEGIANCE AND ROLL CALL

Chair Hinson called the meeting to Order at 6:00 p.m. He then asked for a moment of silence and then led in the Pledge of Allegiance to the U.S. Flag. A silent roll call was taken by Marcella Blocker.

AMENDMENTS AND APPROVAL OF AGENDA

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THE AGENDA AS WRITTEN.

AWARDS, PRESENTATIONS AND APPEARANCES

There were no awards, presentations or appearances.

CLERK OF COURT

Mr. Thomas was not present and there was nothing to report.

CONSENT

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 TO APPROVE THE CONSENT AGENDA AS WRITTEN.

1. Approval of Minutes

-May 6, 2014, Regular Meeting

2. Approval of Adopt-A-Road Agreement with the Rittman Family

ITEMS PULLED FOR DISCUSSION

CITIZENS REQUESTING TO BE HEARD ON NON-AGENDA ITEMS

EMILY ROWAN, 1200 Little Sycamore Road, Quincy, FL 32351, came forward to give praise to Mr. Curtis Young and his staff at Public Works Department on their good work on the upkeep of the roads.

PUBLIC HEARINGS

Mr. Presnell stated that Commissioner Morgan was running a little late, but would be attending the meeting.

3. PUBLIC HEARING-Adoption of Ordinance 2014-002, Adopting Procedures to Consider Acquisition of Property Interests in and Acceptance of Maintenance Responsibility for Certain Private Roadways in the Unincorporated Area of the County Under Certain Conditions

Mr. Weiss explained the above ordinance and said revisions were made to the Ordinance and this would provide the County the ability to accept property interests in and maintenance responsibility for certain private roads if the roads were able to meet certain standards.

Mike Dorian, 145 Alligator Run, Quincy, FL 32351, appeared before the Board to speak in support of the County accepting one mile of road per district per year.

Commissioner Holt asked if there was a list and said if they were going to do this Ordinance, they would need to do some comparison to have something in range per district.

Commissioner Taylor said in looking at the list, all the districts were covered, but some roads were not on the list because of being limited to the 60 foot right-of-way. She questioned the County Attorney because he said once the citizens signed the petition, brought their road up to standard, the decision was then with the Board if they wanted to adopt the road or not and added that she felt once a citizen had done their due diligence, it was not right that they might be turned down.

Mr. Weiss responded that as a formal matter, they had to ultimately accept the conveyance, right-of-way and maintenance responsibility, but could not be done until all the work was completed.

Commissioner Morgan arrived at this juncture of the meeting.

Mr. Weiss stated the way the ordinance was written, there could be 2-3 roads in one district that totaled one mile or there could be one road over a mile that would qualify.

Commissioner Holt stated she had a problem with that because what if there were a road that totaled 10 miles.

Mr. Presnell stated there was not a road in excess of 2 miles.

Commissioner Croley pointed out there were two programs to assist private property owners with their roads, private road scraping and the paving program that was already in place.

Commissioner Holt stepped out at this juncture of the meeting.

He stated that he supported a process that would allow for a reasonable expansion of the county's transportation system.

Commissioner Holt returned at this juncture of the meeting.

He commented he had issues with this program and had five concerns:

- 1) Creating a false expectation in public's mind by suggesting private roads can easily be taken into the public roads system and if they complied with the ordinance, it was an extremely burdensome and expensive process;
- 2) At a time when the fuel revenue is declining nationally due to improved vehicle fuel

mileage, there would not be enough adequate funds and resources at the local level to cover the potential added transportation maintenance costs because the Board had already heard an accolade given to the Public Works Director that was doing a lot with a limited amount of resources;

- 3) It would be extremely difficult to meet Florida Statutes in bringing private roads up to standards;
- 4) If the Ordinance passed the way it was written, the width of the roadside could somehow be reduced and pointed out that Florida Statutes §336.045(4) required that "All design and construction plans for projects that are to become a part of the county road system and are required to conform with the design ... standards" what is known as the Greenbook Standards and those standards set forth the minimum right-of-way requirements, land and shoulder widths and if the roads were brought into the public transportation system, they would be brought into the State transportation system as well and the County would not be able to receive road maintenance money if they do not meet those standards.
- 5) At a time when the County is already facing pressing maintenance issues with the present public road system, they are now talking about the added costs of additional drainage issues frequently associated with unimproved roads that have been brought to standard.

He said he didn't see the logic of trying to go forward in this manner when they were being challenged with on-going maintenance issues.

Chair Hinson asked the County Attorney if there were any legal issues.

Mr. Weiss said as drafted, the Ordinance was a legal ordinance, but in order for them to accept any road into the county road system, they had to find that it served a county need.

Commissioner Holt asked if it would make sense to look at those items before the public spent their money, because once surveyed and everything done, that was an expensive task.

Mr. Weiss responded that the Ordinance was set up that way so after a petition was received, it would come before the Board initially to see if the Board would be willing to accept the road.

Commissioner Holt asked the criteria for meeting the public purpose.

Mr. Weiss responded the criteria was listed in Section 3 of the Ordinance.

Commissioner Morgan asked who compiled the list of roads and Mr. Presnell said the Community Development Department and said they were considering an Ordinance that would be "difficult, if not impossible to implement and we already have a process in place that is working" and said that the County would not be able to afford it.

Commissioner Taylor said the items listed in the criteria was not specific and pointed out the length of the road was not listed.

Commissioner Croley said there was not an "ear-marked" source of revenue to use to maintain the roads and that a lot of the roads on the list were set up in subdivisions of farms from years ago and the County did not take them in because the developers did not want to comply with the County requirements, and said when the Commission allowed them to develop the subdivisions, it raised

questions on what the terms and conditions were on the basis of the developments and he had serious questions on how this would work.

Commissioner Holt said when the subdivisions were being developed; there were some agreements with them previous to this being done.

There was discussion around the Board concerning this matter.

UPON MOTION OF COMMISSIONER HOLT AND SECOND BY COMMISSIONER CROLEY, TO AMEND THE ORDINANCE TO ADD THAT THE ORDINANCE AUTOMATICALLY WILL SUNSET IN THREE YEARS AND SUBJECT TO CONSIDERING PREVIOUS COUNTY AGREEMENTS. THERE WAS FURTHER DISCUSSION.

Mr. Dorian re-appeared before the Board and stated that many years ago he served on the Better Roads Committee and they found that Rich Bay Road had to sue the County to get them to pave the road. He pointed out there was a time in this County that Commissioner and developers made deals that was not fair and forced homeowner associations on people and the developers made out like bandits.

Commissioner Morgan said there was never a good time to pass poor legislation, he offered Option 3 to dis-approve and reject the Ordinance.

The Chair stated there was a motion and second currently on the floor.

THE CHAIR CALLED FOR THE VOTE. THE BOARD VOTED 4-1 BY VOICE VOTE TO APPROVE THE ORDINANCE WITH THE AMENDMENTS. COMMISSIONER MORGAN OPPOSED. MOTION PASSED.

GENERAL BUSINESS

4. Approval to declare items in the Emergency Medical Services Department as Surplus

Mr. Presnell introduced the item.

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THE ITEM.

5. Appointments to the Gadsden Industrial Development Authority

Mr. Presnell introduced above item and said this item was seeking approval to appoint or reappoint members to the Gadsden Industrial Development Authority.

Commissioner Croley stepped out at this juncture of the meeting.

Commissioner Holt stated they needed to consider people who were interested in economic development.

Commissioner Croley returned at this juncture of the meeting.

Commissioner Croley said the Industrial Board had to have applications to act on and did not think they had received any applications for some time.

Commissioner Morgan asked that a letter be sent to District 3 member, Calvin Dawkins on County letterhead and he be copied.

Commissioner Morgan stepped out at this juncture of the meeting.

UPON MOTION BY COMMISSIONER TAYLOR AND SECOND BY COMMISSIONER HOLT, THE BOARD VOTED 4-0 BY VOICE VOTE TO TABLE THIS ITEM.

Commissioner Taylor asked if they could merge this Board with the Economic Development Board.

Mr. Presnell said the Industrial Development Board could choose where they met, how often they met, who they attorney would be and what they would do, but this Board could not dictate what they do.

Commissioner Morgan returned at this juncture of the meeting

Commissioner Holt said they could ask for a meeting.

6. Appointment to the Quincy-Gadsden Airport Authority

Mr. Presnell introduced item and said the Airport Authority was seeking approval from the Board to appoint Mr. Ashley May as the Gadsden County representative to the Airport Authority.

Commissioner Croley made motion to approve Ashley May, there was discussion before second.

Chair Hinson asked in the future, for the names of nominees to not be made public.

Commissioner Croley explained this Board was one of the few entities that never asked for money or anything from the County.

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THE ITEM.

7. Approval of the FY 2013-2014 Public Works Mosquito Control Budget

Mr. Presnell introduced the above item and stated this was for Board approval and authorization for the Chairman to execute the Mosquito Control Detailed Work Plan Budget for submission to the Department of Agriculture and Consumer Services.

UPON MOTION OF COMMISSIONER CROLEY AND SECOND BY COMMISSIONER MORGAN, THE BOARD VOTED 5-0 TO APPROVE THE ITEM.

Mr. Weiss said needed to be a "tentative budget" until Board's final budget was approved.

8. Amendment of the Gadsden County Emergency Repair Program

Mr. Presnell introduced the above item and said it was seeking Board approval to amend the Gadsden County Emergency Repair Program. He said last year \$35,000 was budgeted for emergency repairs and this would expand for repairs to mobile homes.

Commissioner Holt asked how this would bring them up to code.

Mr. Presnell said it may or may not bring them up to code, it depended on the problems.

Commissioner Morgan stated repairs could not be done if the home did not meet code.

Allara Gutcher, Planning and Community Development Director, appeared before the Board.

Commissioner Holt said she had lived in a mobile home and did not know what could be nailed to in the mobile home.

Commissioner Holt stepped out at this juncture of the meeting.

Commissioner Holt returned.

Commissioner Morgan asked questions of Ms. Gutcher.

Ms. Gutcher said the policy and guidelines that were before them had a strikethrough and underlined version and would bring the policy to current figures and in order for this to remain consistent with SHIP program, which did not repair mobile homes, it would remain as presented.

Commissioner Taylor said she had been asked how a mobile home could be brought to code and it could be repaired and said it was just like a regular home and if someone came before the Board for help, should not be disqualified simply because they lived in a mobile home.

Commissioner Holt said she was for people getting things done, but was not for trying to patch something that would not work.

Chair Hinson said he was torn on the issues, that he saw both sides.

COMMISSIONER TAYLOR MADE A MOTION TO MAKE MOBILE HOMES ELIGIBLE AND THIS WOULD SUNSET IN ONE YEAR AND WAS SECONDED BY CHAIR HINSON. COMMISSIONER CROLEY CALLED FOR DISCUSSION.

Commissioner Croley asked what an eligible mobile home was.

Mr. Presnell explained if there was a mobile home with aluminum wiring, it would not be eligible.

Commissioner Croley asked even if a needy person were living in it?

Phyllis Moore appeared before the Board to state in her opinion no mobile home was eligible. She added she was taught if you touched a housing unit and it could not be brought to code, walk away. She added when you replace a window in a house, there was wood to nail into, with a mobile home, there was metal and nothing to nail the window to. She then asked the commissioners if this was approved, would they appoint someone to oversee the projects to ensure they were done correctly.

CHAIR HINSON CALLED FOR THE VOTE. THE BOARD VOTED 3-2 BY VOICE VOTE. COMMISSIONER CROLEY AND COMMISSIONER MORGAN OPPOSED. MOTION PASSED.

COUNTY ADMINISTRATOR

9. Update on Board Requests

Mr. Presnell stated the Chair and Vice-Chair would be back from the conference and the scheduled board meeting on the 15th would take place.

Mr. Presnell said they were putting together the Annual Public Safety Coordinating Council that was required by law and currently Commissioner Croley was the Chairman of that Council. The meeting was being scheduled for the first week in August and Board selects the Chair for that Coordinating Council.

UPON MOTION BY COMMISSIONER HOLT AND SECOND BY COMMISSIONER TAYOR, THE BOARD VOTED 5-0 BY VOICE VOTE TO APPOINT CHAIR HINSON TO THE COORDINATING COUNCIL.

Mr. Presnell reminded everyone of the Budget workshop scheduled for July 24th at 4:00 p.m.

They scheduled a workshop before the August 5th meeting.

COUNTY ATTORNEY

10. Update on Various Legal Issues

Mr. Weiss said he had nothing to report was available for questions.

Chair Hinson asked how long audit firm was approved for.

Arthur Lawson, Assistant County Administrator, appeared before the Board and stated the contract was for three years.

DISCUSSION ITEMS BY COMMISSIONERS

11. Report and Discussion on Public Issues and Concerns Pertaining to Commission Districts and Gadsden County

Commissioner Taylor, District 5

Commissioner Taylor expressed her appreciation to Commissioner Holt on her efforts in Washington, DC at the Senate hearing.

She said when they talked about the private road situation, in order for citizens to bring roads up to standards, could the public petition the county to do the work and pay them.

Mr. Presnell said if it simply involved blading, scraping, there was a policy for that. She added when the Public Works director distinguished the roads, it showed it was one sided in districts 1 and 2.

Commissioner Morgan, District 3

Commissioner Morgan commended Commissioner Holt on her efforts in Washington.

Commissioner Croley, District 2

Commissioner Croley thanked Commissioner Holt for articulating the needs of not only Gadsden County, but all the rural counties when she spoke in Washington, DC.

CRTPA

Commissioner Croley informed the Board of the Trails to Sea program and said Wakulla and Leon County partnered up in an effort to build bike trails and said everything was moving along.

He also said they had been successful in getting information from Georgia DOT regarding their transportation programs because US 19 was a major corridor to traffic in through Thomasville and most importantly for us was US 27 that was known as the Martha Berry Highway and the four-laning of it was almost complete and would tie Bainbridge into Columbus and Columbus tied into Atlanta and it would help generate a major corridor for traffic through this area into the coastal counties and would help tie into a plan to bring a cruise ship to the port at St. Joe, as it was being dredged.

Commissioner Holt, Vice-Chair, District 4

Commissioner Holt thanked the Board for approving her traveling to Washington to speak at the Senate hearing and added that she could not see attacking Social Security at the hearing because there were workers that were laid off. She also added that at the Social Security meeting at the Library, there were people interested in having video computers at the other two libraries.

She also said at one time Disney was looking into the Gulf to do entertainment here in the area and that hopefully the cruise ships would bring them back this way.

Mr. Presnell said there was one signed contract already.

Commissioner Hinson, Chair, District 1

Chair Hinson said something they needed to look at was partnering with cities in the county for a water park.

RECEIPT AND FILE

12. **A. May 30, 2014 letter from Chief Judge Charles A. Francis (Tentative Budget Request)**
 - B. May 30, 2014 Letter from the Town of Havana (Periodic Update on Town's Natural Gas System's Purpose, Reliability, Associated Hazards, Damage Control & Emergency Preparedness Measures)**
 - C. June 2, 2014 Letter from Mediacom (Changes to local cable television lineup)**
 - D. June 3, 2014 Proclamation Honoring the Retirement of Ms. Alice DuPont**

UPCOMING MEETINGS

13. **-July 15, 2014, Regular Meeting @ 6:00 p.m.**

Gadsden County Board of County Commissioners
July 1, 2014-Regular Meeting

-July 24, 2014 2nd Budget Workshop @ 4:00 p.m.

MOTION TO ADJOURN

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, CHAIR HINSON DECLARED THE MEETING ADJOURNED AT 8:31 P.M.

GADSDEN COUNTY, FLORIDA

**ERIC F. HINSON, Chair
Board of County Commissioners**

ATTEST:

NICHOLAS THOMAS, Clerk